



The Conciliator

UNIFOR Local594 | Canada

204 Hodsman Road, Regina, SK.
www.unifor594.com

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Daryl Watch (18)

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Education vs Discipline

Greetings everyone. The Bargaining Committee is currently working on developing our package of Bargaining Proposals to present to the Company in December. The Company has informed us recently of who they intend to have on their Bargaining Committee, and it is all new faces who have never sat at our table before. With the retirement(?) of Gary Mearns in Saskatoon, and the naming of their new Vice President of Human Resources, Heather Ryan, it is anyone guess what the focus of this round of negotiations will be from the Company's side. Ultimately it does not matter who they decide to bring, or what their focus will be, our job remains the same. That job is to reach an agreement that both sides can live with. After that, the challenge is to implement and enforce that agreement. As everyone is aware, that task is becoming increasingly more difficult.

Many of you were at the 80th anniversary celebration and heard me give a speech where I talked about our mutual history, and our ability to work towards turning our differences into strengths. I also spoke about how, if we remember where we came from, and who got us there, that we could continue to grow as a company. Given the apparent direction that our new Leadership Team is taking, it would seem that my speech may have fallen on deaf ears. Of course, it is equally possible that those ears weren't even hired yet when I gave that speech. Nonetheless, we will continue to push for fair and equitable treatment for all of our members.

By now you will have heard about the recent terminations, and some of the recent suspensions that have been occurring throughout the workplace. Most of these actions have resulted in grievances being filed. It is, in my opinion, truly misguided to believe that this course will be effective in instilling a culture of safety first in our workplace. These decisions appear to be made with little to no understanding of our workplace, how it works, the processes involved, the dangers that are inherent in our jobs, or the responsibility that the Company has in ensuring that a safe workplace is provided. There seems to be a plan going forward to label incidents as major occurrences and hand out suspensions left and right, regardless of whether they make any sense or not.

“Education is a far more effective teaching tool than discipline.”

Of course, it is hard to determine if something makes sense when you have no idea what you are talking about. I fear that these actions and decisions will only cause the mistakes that we all make (we are all human after all) to be hidden for fear of reprisal, rather than be brought into the open and discussed so that everyone can learn from them. Education is a far more effective teaching tool than discipline.

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• SHOP STEWARDS

Section IA:

Nathan Kraemer

Section IB:

Charles Brittner

Section II:

Billy Hamilton

Section III:

Curtis Baht

Section IV:

Travis Parker

Section V:

Chad Thompson & Scott Girard

Building Maintenance:

Gary Gruell

MRP:

Rob Jenkins & John Cheeseman

Pipefitters:

Wayne Globisch & Shaun Jenkins

Mechanics:

Derek Kups

Stores:

Brenda Curtis

Electrical:

Les Bonkowski & Jason Kelly

Instrumentation:

Jaret McCloy & Dave Mushynsky

Inspection:

Keith Britton

Fire & Safety:

Daryl Watch

Administration:

Charlene Rae

Lab:

Mike Fink & Ray Strueby

Pumpers:

Ryan Dzioba

Decokers:

Jon Javorik

Welders:

Jim Milton

Scaffolders:

Nelson Wagman

Construction:

Mike Pelzer

Boilerhouse:

Ricky Nygaard

Insulators:

Kris Atkinson & Luke McGeough

PDD Office:

Susanne Carpenter

PDD Loading:

Dean Warnke

Education vs Discipline *continued...*

You have only to look into your own families to understand that this is inherently true. Teaching your children how to do something is FAR better than just punishing them if they do something wrong. That is not to say that, at times, discipline may well actually be warranted. Those times usually involve repeat incidents of the same behavior where education has failed. This concept appears to be missing in our workplace.

So what can you as an employee do about this? Follow the procedures you are given. Ensure that you understand the procedures you are given. If you are unclear about a procedure, stop and seek clarification. If you are asked to do something that does not have a procedure developed, insist that the procedure be developed BEFORE you undertake the task. Also remember that under the OH&S Regulations (now located in the Saskatchewan Employment Act Section 3-31) you have the right to refuse to do dangerous work. Refusing to do dangerous work is NOT insubordination! Be safe, and go home alive and well at the end of every day.

In conclusion I just want to say that, while we may not know what lies ahead for this local, I do know that by standing together, you have the strength to ensure that your voices are heard and respected. We are One Union, One Local, and we will bargain as One Voice, for all our members.

In Solidarity.

Dan Josephson, Negotiating Chairperson

Union Christmas Party

The Union Christmas Party will
be held on
Friday, December 4th
at the Italian Club (2148 Connaught St)

Cocktails 5:30pm
Supper 7:00pm

Tickets will be \$10 and can be
purchased from your
Shop Steward in the near future!



Accountability & Consistency

First I would like to speak to the internet and social media policy in combination with the reminder of Non-Disclosure Agreement (NDA) policy that comes out every time there's an incident at the refinery.

I think the interest of the public, and other invested parties trumps the attempt of the company to squelch its employees under an agreement that was intended to prevent trade secrets, patents and methodology being leaked to competitive business, not silence a vested party from retweeting a CBC article finding the company liable or expressing an informed opinion in not so few words, that may "harm the company's image" or paint it in a light that may affect public opinion or create financial loss- the company does a fine job of that on its own.

There is a difference between opinions & facts, and slander. The former should be protected under the Canadian Charter of Rights and Freedoms, specifically Freedom of Expression 2. (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication. The first key phrase is "freedom of thought, belief, opinion". Second key phrase: "freedom ...media of communication". I think in a time when a massive number of people are getting their news from Facebook and Twitter feeds makes social media fall in medium of communication. Again, facts and opinions are not necessarily slander, but the policy is so vague it does not differentiate and offer protection to an employee expressing his or her opinion, or simply passing along factual information.

Second, and what I'd like to speak more at length to is the most recent buzzword to come out of the "**Latest-Acronym-To-Spring-Into-Someone's-Mind**" committee, going forward known as **LATSISMC** Committee (oh, and it's called initialism). Accountability is the word of the day around here, so I thought I would examine what it actually means, and how it is being applied.

Accountability, as it is applied to us is a measure that is socially and perhaps contractually binding. That is, did we do what we were supposed to do and are we to blame for an outcome. Liability is strictly a legal term where a party is obligated to compensate, even if no faulty action existed. The two are not mutually exclusive. There can be joint accountability, but in some cases only one party is liable. Liability can be applied without a party accepting accountability. Think about that for a second. A court of law can find a company liable, and force it to pay compensation to a victim, but that does not mean it has to say it was responsible for harm to an individual even though proven in a court of law. Part of our legal system asks persons to accept responsibility for their actions. In order to receive early parole in Canada you are required to admit guilt, accepting responsibility for your crimes. Colin Thatcher comes to mind. Why are companies allowed to skirt accountability, and not have to take responsibility, financially **and** through admittance of accountability?



“There can be joint accountability, but in some cases only one party is liable.”

This got me thinking about social accountability. We have laws, rules, and a moral standard which are applied through various methods in society. Criminal court, civil court, and the grassroots court- public and social media shaming. In a perfect system of social accountability everyone is held to the same standard. I don't think I am alone in seeing failings in application.

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Accountability & Consistency continued...

You have sports figures and celebrities skirting drug possession charges, spousal abuse, et al. We also see politicians breaking the law, and avoiding criminal prosecution through scapegoats, a lack of application of law, and retroactively changing laws. The rich also seem to be able to avoid a myriad of legal repercussions through litigation, and paying to get out of a situation where a less well-off individual could not. As I see it we have disproportionate accountability in society; not always, but definitely sometimes.

In our working life accountability means following rules, policies, applicable laws and standards set out by our company, and various levels of government. We as individuals are held accountable by the company, and in some instances the courts. At times we are held to standards by the company that, in the eyes of the courts, fail. When the company tries to hold in-scope employees accountable and we believe it is unfairly administered, our Union bears the burden of challenging the company's position through an appeal system set out in our contract, up to and including arbitration. When the company loses at the arbitration level, it means it is overstepping its bounds in creating and applying its own policy.

So, why should we care about accountability at work?

I recall a number of years ago having a conversation with Bud Van Iderstine at Sheldon Kary's 30 year festivities in the old control room. This was shortly after the company had approached DuPont to do some advising. I asked Bud if we were going to take the DuPont approach to accountability, fire and suspend anyone and everyone who missteps. He said that is not why we brought in DuPont, and we would be by no means taking that type of approach. I think Bud may have misspoke. It is quite clear that is direction the company is headed.

Fast forward a few years, and the company took measures to remove management signatures from permits. To me, it seemed like a move to withdraw liability, and accountability. Place the burden on union members, and remove it from management. The company removed 2 management signatures from our permits. Under the old permit system, there could be a contractor contact signature, and a supervisor signature. Now it is all in-scope employees signatures, except in the case of high-risk hot work, where a supervisor may or may not be familiar with what he is actually signing. The Company's reason, Industry Standard. If Industry Standard is worse than Industry Best Practice, why do we use it? Because it is convenient, removing accountability and liability from management, and less cumbersome than Industry Best Practice. Not because it is better.

More recently we have seen a revamp of our Drug and Alcohol Policy. One of my biggest issues with the current policy is the top down approach. If we were concerned with accountability, would the policy not apply in every direction within the organization? Would the company be better served if the policy supported a different means of activating the course of action for testing. Should two in-scope employees not have the same ability, and dare I say responsibility, to send a manager for drug and alcohol testing? If it is accountability we want, then it should be a company wide policy, not just a top-down policy enforced by management on union members.



“At times we are held to standards by the company that, in the eyes of the courts, fail.”

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Accountability & Consistency *continued...*

If we are really seeking accountability across the entire organization, then I ask this question. Should someone have been held accountable for equipment failings we've been exposed to in the past? There are two instances that immediately come to mind: The Vacuum quench line falling off, and the Oct. 6, 2011 incident in the DU where the company has been found liable. But no individual(s) in either instance were held accountable, or at least not held accountable to the standard that management holds union members accountable.

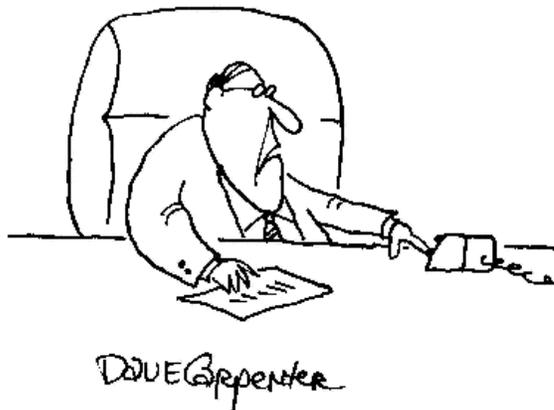
While I am *not* of the opinion that people are not responsible for their actions, I believe the company has an over-reaching burden of responsibility for everyone within the organization. Did it train him properly? Were all of the safety measures in place that could have been in place? Could an engineering control have prevented the incident? Did the employee go wrong, more-so than another employee with the same training and experience would have? That is, was there a gross negligence of duties? If the answer to any of these questions is not a **definitive** yes, then I don't think placing the entire burden of fault on an individual is the correct course of action. If an employee fails, then his supervisor failed, and perhaps his supervisor's supervisor failed as well, and the company failed. Further, should an in-scope employee not be in contact with a management level supervisor more than once every 12 hours? Can a company really say it was not negligent leaving a party unsupervised for an entire shift? A collective accountability needs to be taken, because creating a scapegoat just to set an example isn't where we should be if we truly are working *collectively and cooperatively*. Like society, we also have a disproportionate application of accountability. Those of us at the bottom are held to full accountability, while those at the top have removed themselves from accountability.

In closing, to the person who says unions are no longer needed and that workers are protected from their employers by legislation. I say to you, without people and organizations (our Executive, and UNIFOR) holding companies accountable to that legislation, the legislation may as well not even exist. Unions are accountable to their members, you and me.

With the culture the company has promoted recently, I will sign my article anonymously. While I feel I have stated nothing worth disciplining, it's obvious the Company and I have different views.

In solidarity,

594 Member



"MISS WILCOX, SEND IN SOMEONE TO BLAME."

The New Culture

This week I sent a lengthy letter addressed to both the Refinery Manager and the Manager of Labour Relations for CCRL.

I outlined the Union Executive's feelings of frustration with the Company's direction to label every incident a major rule violation and with the investigation process used only to decide who gets the blame, and accompanying suspension. Discipline alone, without education, will only result in further fractured workplace morale. This does NOT make for a safer workplace, it makes for a highly dysfunctional environment.

To become safer workers, everyone need to feel free to admit mistakes without fear of reprisal, knowing that the incident will be examined and used as a teaching tool.. That is exactly what an OH&S investigation strives to do. It does not lay blame or recommend punishment. It aims to teach what went wrong to prevent it from happening again. If discipline was the key to altering behavior, why is that not used as the first choice in the education system? The answer is that it does not work!

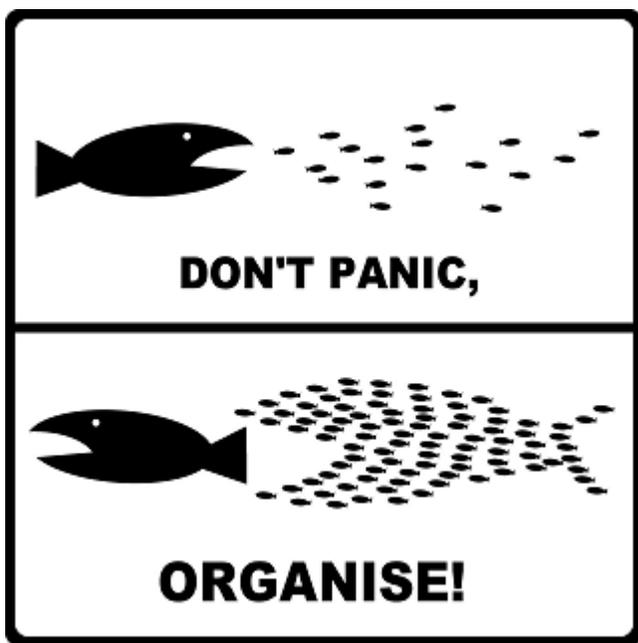
Treating employees with dignity and respect will gain you far more than senseless discipline ever will. Currently, people are scared to do their jobs, and scared to make a minor mistake that could end up costing them their job. Is this the culture and relationship the Company wants with its workers?

We are the ones fighting the fires, dedicating our lives to cleaning up after the countless emergencies. We are the ones working countless extra hours because the plant is woefully under staffed. We are the ones navigating through countless procedures that only make sense on paper. We are the ones holding our tongues when the media asks questions about our safety culture. Why? Because we care about our workplace.

Maybe I am spoiled because of the relationship we had with the Company in the past. An environment where we solved problems before they became a fight. I don't want this new strategy to end a very rich history of the Co-op Refinery of being a great place to work. The sign of cooperation at Gate 2 should be more than just a sign.

In Solidarity, Kevin Bittman, President

Last Laugh



Staying Connected

Website. www.unifor594.com

Email. info@unifor594.com

Twitter. @Unifor594

Facebook. Unifor Fiveninefour

General Meetings. Fourth Tuesday of every month
at the Union Hall.

